

## **Exhibit 1**

Dear Judge Wexler:

It is with great humility and remorse that I write you this letter. I sincerely apologize to the victim, to my subordinates who I permitted to take part in these offenses, to my colleagues and those who entrusted me, to the men and women of the Suffolk County Police Department, to the citizens of Suffolk County and to you, Your Honor, for my actions.

I have been a police officer for nearly 31 years, 25 of which as a supervisor. I fully believe that one must be accountable for one's actions. I stand accountable for my actions and accept responsibility and the consequences that result from them. I believe in our system of justice and have every faith and confidence in your fairness and impartiality.

Please consider my thirty-one years of service in rendering your sentence. I believe I have done much good for many people from all walks of life during my career. I am proud of that. I hope Your Honor considers my record in public service at sentencing.

As you know, there are many collateral consequences associated with my sentencing. Including losing the right to vote and being labeled a felon. Both of which will deeply affect me.

The greatest consequence involves my mother. She was a single mother who suffered through much tragedy in her life and made many sacrifices in raising me and my siblings. In 1999, at age 59, she was diagnosed with metastatic lung cancer. In what I considered the greatest quest of my life, I took control of her health care and was involved on a daily basis with her treatment. It is now seventeen years later and she now 75 years old. Her situation is nothing short of a medical miracle. She is presently undergoing immunotherapy, is confined to a wheelchair and requires oxygen 24 hours a day. She struggled to write you a letter in her own hand.

It would be unbearable for me to be in prison as her condition deteriorated and she passes from this earth, severely restricted in my ability to communicate. I suffered through a life threatening illness when I was six weeks old. My mom and I have faired the direst of circumstances together. She does not deserve the consequences of dying while her oldest son, who has generally done good for most of his life, is in prison. I beseech you, Your Honor, to consider this situation in rendering your sentence.

Finally, Your Honor, I want you to know I have a deep abiding love for our country. I come from a long line of men who were instrumental in my life. My uncle Michael served in combat in Vietnam and was awarded a Silver Star, a Bronze Star and two Purple Hearts. He lived with us upon his return and helped raise me. He has submitted a letter to you in support of me. My grandfather and father spent their careers in law enforcement. Presently two of my younger brothers serve honorably in the NYPD.

Thank you for your consideration, Your Honor. I ask for your leniency and in closing, I am heartily sorry for my actions. I understand the consequences of my criminal conduct. I will not return to criminal behavior nor am I a danger to society.

Sincerely,

James Burke

Honorable Leonard D. Wexler  
United States District Judge  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York

## Exhibit 2

Dear Judge Wexler,

My name is John Michael Toal and I am 33 years old. I am a 12 year veteran of the New York Police Department, I am a Sergeant currently assigned to the Intelligence Division, and most notably I am James Burke's youngest brother. James, or "Jimmy" as most of his family and friends know him, has been an irreplaceable part of my life from birth until present day. His positive effect on me has everything to do with the man and professional I have grown to be. It is because of him I decided to take an oath to serve and protect my community no matter how severe the consequence.

James has had so many positive effects on my life that it is impossible to account for all of them, but none stand out to me as much as my Fathers passing at the age of 14 and the time that would come to follow. It was then that James willingly took on the role of being not only a brother, but also becoming a surrogate father to me. He made certain that I kept up on my grades, hung around with the right crowds, and most importantly made sure I was always loved and never felt alone. He was always there to give me the advice and guidance I needed to ensure that I would one day grow up to be a successful and respected man.

As if taking on the responsibility of caring for a teenager wasn't already tough enough, my mother was then diagnosed with stage four lung cancer in the year 1999. James once again stepped in and took control of the situation, ensuring that my mother would receive the best care from the best doctors from the best hospitals possible. Unquestionably it is for that reason 17 years later she is still with us.

While James' dedication to his family is beyond comparison, his professional career is nothing short of astonishing. Despite not having received an accommodation since 1997, he is still among one of the most decorated officers ever to don a SCPD uniform. His involvement with the Police Tutorial Service as an instructor undoubtedly lead to the promotion and betterment of hundreds, if not thousands of law enforcement officers statewide. His ascension from Police Officer to the rank of Chief of Department was a remarkable achievement and without question a result of his hard work and dedication. These accomplishments as a whole unquestionably helped to benefit the communities he served.

Unfortunately, despite all of James' career accomplishments and unconditional dedication to his family, he has found himself in a terrible position in which he must pay consequence for. That is without question. I respectfully ask you Judge Wexler to consider the heavy price in these eight months since his incarceration that he has already paid. Since that day back on December 9<sup>th</sup>, 2015, my mother has once again been diagnosed with cancer after celebrating months of remission. She is again undergoing treatment, but unlike before she is without her primary caretaker. In addition, he has lost the career he worked so hard for and any credibility that went with it. He has missed out on the birth of his nephew. Moreover, on September 9<sup>th</sup> of this year, he will have missed out on my wedding day in which he was slotted to be my best man. All this, while being unjustly slandered in the media from having a staged walk out, to leaking his home address to the public for all to see.

Although his 31 years of service with the Suffolk County Police Department has been tarnished by his actions, his 51 years as a Son, Brother, Uncle, and significant other, remain unblemished. I humbly ask you Judge Wexler to please consider these aspects of James on the day of his sentencing while not just looking at his past, but looking at all of the good he has to offer the future as well.

Respectfully,



John Toal

## Exhibit 3

Honorable Leonard D. Wexler  
United States District Judge  
United States District Court  
Eastern District Of New York  
100 Federal Plaza  
Central Islip, N.Y. 11722

August 9, 2016

Dear Judge Wexler,

My name is George Burke. I am James Burke's younger brother. I have been a Detective in the New York City Police Department for 20 years. My family also has a long history in law enforcement that spans a combined 150 years. Our family has a great respect for law enforcement and the military. My grandfather James Burke was in the Navy during WWII and he was stationed in the Pacific, and his brother George Burke was in the 1st Marine Division during WWII and fought in the Battle of Peleliu and in the Battle of Okinawa where he was wounded.

I have never written a letter before for someone who was facing jail time and I never thought I would have to write a letter for someone especially my brother James. My family is filled with crime fighters and we have dedicated our lives to it. The past 8 months have been a nightmare for my family between the negative newspaper articles and TV news coverage. We are all still in shock and we will carry this burden around for the rest of our lives. One positive thing to come out of this situation is that my family and I have grown closer and stronger.

As a child I idolized my father George and my brother James who were both members of the New York City Police Department. Over the years I watched with Pride as my brother James quickly rose through the ranks of the Department faster than anyone else in the history of the Suffolk Police Department. He became the Chief of Police and one of the most highly decorated Policemen in the history of the Police Department. Throughout my career with the NYPD I have come to realize that James is responsible for helping hundreds of men and women get promoted through the ranks because of his time with the Police Tutorial Service. James is also well known and highly respected among other Police Departments throughout the country. My brother and I have had numerous conversations regarding his wrongdoing and he has taken full responsibility for his actions. James realizes that not only has his actions had a negative impact on the people of Suffolk County but has affected the entire Suffolk County Police Department which he has given his life to. My brother James is truly a good person and family man who has selflessly protected and helped countless numbers of people in the Suffolk County community throughout his 30 year career. Judge Wexler, I would ask that when considering my brothers sentence you take into account his lifelong dedication to Law Enforcement and his great respect for our Country's veterans and armed forces.

Sincerely,  
Detective George Burke



## Exhibit 4

Honorable Leonard D. Wexler  
United States District Judge  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11787

Dear Judge Wexler,

My name is Thomas James Burke, nephew of James Burke. I am 15 years old and going into 11<sup>th</sup> grade. As a child, my Uncle James was thought of as a superhero to my young mind. He was always around, and is like a father figure to me. He would come to my sporting events to cheer me on, as well as picking me up/ dropping me off to school or a friend's house. He is the godfather of my brother and I am named after him. That alone shows the importance he has had on our lives even before we were born. He has created a giant impact on me and I am sure he would love to experience these important years in my life. Losing him has affected me mentally and not a day goes by where I don't think about him.

My Grandmother Fran Toal has been suffering from lung cancer for 18 years. My uncle was in charge of taking her in and out of the hospital as well as housing her for that time. He is the reason my grandmother is alive. My father Michael Burke and other uncles are trying to fill his shoes with helping my grandmother. It is heartbreaking seeing her deal with this because my uncle means a tremendous amount to her. My mother Cheryl Burkes parents, Elaine and Dave Bischof were supported by my uncle when my grandmother was diagnosed with Parkinson's and my grandfather took a massive stroke, he would inform them about what doctors to use for their care. A few years ago I was rushed to the hospital and was almost taken in for emergency surgery; my uncle immediately contacted one of the greatest surgeons on Long Island to operate on me. My uncle is the core of my family and we are upset to see him living this way.

Although he has committed this crime, I politely ask for you consider the positive actions he has made when sentencing him. My Uncle James Burke has impacted the community as well as my family in a significant matter.

Sincerely,

A handwritten signature in cursive script that reads "Thomas Burke". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Thomas James Burke

## Exhibit 5

March 17, 2016

Judge Leonard D. Wexler  
U.S. District Court, Eastern District of New York

Your Honor:

I am writing to request leniency in the sentencing of my nephew James Charles Burke.

I have known James since he was born to my sister Frances over 50 years ago. When I returned from Vietnam in January 1968, James was living at his grandparents house in Queens as his mother and father had separated. After I returned home I became very close to both of my sister's boys. I must say they were brought up in a loving and caring household.

Later, my sister remarried a wonderful man and moved to Smithtown, Long Island. The boys were fortunate to be brought up by a stepfather who was hardworking and a great role model. Shorty, my sister gave birth to a third boy. The three boys grew up together and James was always the big brother and role model to the youngest brother, John. Today John is a Sergeant with the NYPD.

James has always been there for all of his family, willing to lend a hand with everything from advice to making arrangements for medical care for his mother who has suffered with lung cancer for almost 20 years. James has taken on the role of caregiver for his mother as her husband passed away many years ago. I am sure his mother is still living because of the exceptional care she received which was arranged by her son James.

James was an exceptional police officer for over 30 years. I hope this can be considered in giving him leniency in his sentencing.

I have been in contact with James and he has shown intense regret and embarrassment for his actions. He has lost creditability in the public eye, and I believe he is truly despondent regarding what he has put his family through. I truly believe James is a good individual and when he is finally released from prison he will have a positive contribution to our society.

Your Honor, if you wish to confirm any of the above, please do not hesitate to contact me at my home on 516.593.1660.

Sincerely,



Michael J. LoCascio  
Vietnam Veteran  
9th Infantry, 3/39 (1966-1968)  
Awarded: Silver Star, Bronze Star "V", Two - Purple Hearts

## Exhibit 6

Mrs. Maritza Burke



Honorable Leonard D. Wexler  
United States District Judge  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11787

August 1<sup>st</sup>, 2016

Dear Judge Wexler,

My name is Maritza Burke. I have been James Burke's stepmother, since 1972, when I married James' father, George Burke Sr.. It took very little time for me to love the bright, sweet, 8 year old "Jimmy" and his brother, Michael, like they were my own. That still holds true till this day, Your Honor, and I will continue to love and support my beloved son, James, always.

I gave birth to a son, George, and a daughter, Christina, out of my marriage with James' father. Though we subsequently divorced, James has always remained a devoted son to me, as well as to his biological parents. Largely due to James' family-oriented nature, and warm, loving demeanor, through my divorce with his father and all, this family has remained extremely close-knit. Not having James around has been heart-wrenching for all of us.

James is a devoted son, brother, uncle, and friend, and I saw that throughout his police career, he was immensely devoted to his job, as well. James is an integral part of our family and we miss him and want him home, Your Honor.

I understand that my son is not perfect Sir, but I hope and pray that you will consider that James is a good and loyal, family-man. Please consider all of the excellent things that James has done throughout his life, when the time comes for you to decide my son's sentence. Thank you kindly for your time and consideration.

Respectfully,

Maritza Burke



## Exhibit 7

Honorable Leonard D. Wexler  
United States District Judge  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11787

August 5, 2015

Dear Judge Wexler,

My name is Christina Burke Grub. I am the Executive Assistant to the Vice President, at Allied Building Products Corp. I am also the wife of Detective Paul John Grub of the New York City Police Department. We are blessed to be the parents of a four month old boy, Rory William Grub.

I am proud to come from a family who is deeply rooted in both law enforcement, and in the United States military. My grandfather, James V. Burke, served in the U.S. Navy, during WWII. My uncle, George T. Burke, was a U.S. Marine during WWII, who fought in Peleliu and Okinawa. My father, George T. Burke, served in the U.S. Army, and then served as a New York City Police Officer, for over twenty years. My brother, Detective George T. Burke, is currently serving his twentieth year with the New York City Police Department. My step-brother, John Toal, is currently a Sergeant for the New York City Police Department. My father-in-law, William Grub, is a retired Detective for the New York City Police Department.

I am the youngest sibling, only sister, and Goddaughter of Chief James C Burke. James has always been my mentor, and a positive role-model in my life. I go to my brother for guidance and advice. James has shown me by example, how to be strong, hardworking, independent, and how to treat others with respect, kindness and generosity. I have never known someone to be more devoted to his family, friends and career, than my brother, James.

Your Honor, I understand that my brother is not in good standing with your court, at this time. When you are deciding James' sentence, please consider the many years of his life, which he has dedicated to serving and protecting, both his community, and his family. Please Sir, consider that we, James' family are beyond heartbroken, missing him and waiting for him to come home. I ask you to please also consider his mother, who is very ill, battling cancer, and for whom James provides care and support. Your Honor, please take into consideration our brother John, who is getting married this September, and will be missing his best man, James. Lastly, please consider my four month-old son, Rory, who has not yet met his Godfather.

Thank you, Judge Wexler. I truly appreciate your time and consideration, on this matter.

Respectfully yours,



Christina Burke Grub



## Exhibit 8

Honorable Leonard D. Wexler  
U.S. District Judge  
U.S. District Court  
Eastern District of N.Y.  
100 Federal Plaza  
Central Islip, N.Y. 11722

Dear Judge Wexler,

My name is Lisa Hill. I am James Burkes first cousin. Jimmy and I are one year apart in age and grew up together and remain close to date. Jimmy has always been like my big brother. He has always been here for his family, good and bad times, and has always been a positive role model. His love and dedication to his job and family is and will always be admirable.

Jimmy has been in law enforcement for over 30 years. We feel his past accomplishments and over achievements as a police officer should be taken into consideration as you consider his sentence.

As far as his commitments to his family, Jimmy has been the sole caregiver to his mother who is suffering from Stage 4 lung cancer and lymphoma. She is presently on oxygen 24/7 and receiving Infusion therapy—her last hope at this time. Without his persistence, strength and determination she would not be here today. He never gave up on her or let her give up on herself.

I know Jimmy is currently not in a good position, but I believe his service to the police force and dedication to his family should be considered. He has taken full responsibility for his actions and all we ask is for you to consider all these positive things when sentencing Jimmy.

Sincerely,

  
Lisa Hill

**Exhibit 9**

Frances Toal



Honorable Leonard D. Wexler  
United States District Judge  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11787

Dear Judge Wexler:

My name is Frances Toal. I am the mother of James Burke. I do know that James is not in a good position right now.

I am suffering from Stage 4 Lung Cancer and Atrial Fibrillation (AFIB). I was diagnosed in 2000 and had a lobectomy on my right lung and a segment of my left lung removed. James researched the best hospital and doctors for my care. He arranged appointments for me at NY Presbyterian Hospital in Manhattan. He took me to chemo and radiation treatments since 2001. He has done this 3 separate times when the cancer came back. Presently a PET Scan found a nodule in my left lung and they want me to do chemo or immunotherapy very soon. James has been my caregiver throughout all these years and once again I desperately need him more than ever.

He became a surrogate to my youngest son, after his father died at the age of 14. James provided advice guidance and support. Due to James, he is now on the NY City Police Force as a sergeant and also works in Intel in his precinct at the 111<sup>th</sup>.

James also taught at Police Tutorial Service for many years (PTS). He was admired and looked up to by many police officers and is responsible for many careers and promotions due to his ability to connect with his students.

James worked his way up the ladder. I was proud to attend his many promotions and ceremonies throughout the years.

Nevertheless, I need him more than ever as my caregiver, advisor and advocate in the final chapter of my life.

Please consider these positive assets at the time of his sentencing and be lenient with him.

Sincerely,

Frances Toal